

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                  )  
                                  )  
Plaintiff,                 )                           4:10CR3017  
                                  )  
                                  )  
V.                            )  
                                  )  
                                  )                           MEMORANDUM AND ORDER  
TORRENCE J. TERRY,         )  
                                  )  
                                  )  
Defendant.                 )

The government has moved to continue the trial currently set for June 1, 2010. Filing No. 30. The government counsel states the parties need additional time to either negotiate a plea or prepare for trial. The defendant does not oppose the requested continuance. The Court finds the motion to continue should be granted.

IT IS ORDERED:

- 1) The government's unopposed motion to continue, (filing no. 30), is granted.
- 2) The trial of this case is set to commence at 9:00 a.m. on August 2, 2010 for a duration of four trial days. Jury selection will be at the commencement of trial.
- 3) Based upon the showing set forth in the government's motion, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendants and the public in a speedy trial. Accordingly, the time between today's date and August 2, 2010 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

DATED this 19<sup>th</sup> day of May, 2010.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge